

**Comment Letter AS012 Continued**

Dear Messrs. Morshed and Rutter

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planned or occurring simultaneously can be implemented most effectively (minimizing cumulative losses).

**REGIONAL ISSUES****Bay Area to Merced Region**

The northern and southern tunnel alignments for the Diablo Range Direct and the Pacheco Pass alignments are new transportation corridors that would not follow existing transportation infrastructure. The Northern Tunnel, according to the DPEIR/EIS, would have the least amount of impact on special status species. The Diablo Range "Tunnel under Park" route would run through the Diablo Range and tunnel through Henry W. Coe State Park. According to the DPEIR/EIS, the Pacheco Pass alignment may have significantly more impacts to wetlands than the other proposed east/west alignments and would bisect the San Luis National Wildlife Refuge, the Los Banos State Wildlife Area, Cottonwood Creek State Wildlife Area, and numerous private duck clubs. The extensive native grasslands and wetlands of the Grasslands Ecological Area of central Merced County are a unique resource of regional and national importance for migrating waterfowl and numerous special status species. We believe the potential impacts to wildlife resources from the Pacheco Pass alignment would be unacceptably high and impossible to fully mitigate. Additional route alternatives should be explored for this segment.

The Altamont Pass alignment has been eliminated from further consideration according to the DPEIR/EIS. The Altamont Pass was the only alignment option that had used existing transportation infrastructure and therefore would likely result in fewer wildlife impacts. The preliminary analysis acknowledged that the Pacheco Pass (and presumably the Henry Coe option) route would potentially cost more than Altamont Pass, primarily because of extensive tunneling in Pacheco Pass and Henry Coe State Park. While there may well be reasons for dropping the Altamont Pass option from consideration, the Department believes that the Altamont option should be thoroughly reviewed and not eliminated from alignment options as it is likely to have significantly fewer adverse impacts to fish and wildlife resources than the other alignment alternatives. The Department recommends recirculating the DPEIR/EIS to include an analysis of the Altamont Pass alignment option.

**Wildlife Movement**

The HST alignment alternatives bisecting the western portion of the San Joaquin Valley will fragment other wildlife populations in addition to the San Joaquin kit fox mentioned in the DPEIR/EIS. Other special status species whose movement and populations may be impacted with the western San Joaquin Valley section of the alignment include the kangaroo rat, and blunt-nosed leopard lizard (a fully protected species), and giant garter snake. All of the HST alignment alternatives would bisect north/south wildlife movement along the Diablo Range and would impact wildlife species and habitats for wide-ranging medium and large carnivores such as bobcat and mountain lions, and large mammals such as elk and pronghorn antelope. Stream crossings and impacts to adjacent upland habitat in the Diablo Range would affect movement of special status amphibians, salmon and steelhead.

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cont.

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Although some of the proposed routes such as San Francisco and Gilroy and Oakland and Gilroy are along existing rail corridors, it is incorrect to assume minor impacts on movement/migration corridors in this area. A potentially significant impact on wildlife movement is likely due to proposed perimeter fencing of the at-grade HST alignments. Existing rail corridors are not presently fenced, thus wildlife can still possibly move through the area. Further analysis of the potential impacts with regards to perimeter fencing is necessary in the DPEIR/EIS and subsequent analysis.

**Conservation Plans**

All three corridor alignment alternatives would impact the proposed habitat conservation plan/natural community conservation plan area and proposed habitat reserves in Santa Clara County and the Santa Nella area of Merced County. This proposed conservation plan and associated proposed habitat reserves was not addressed in the DPEIR/EIS.

**Conservation Lands**

Conservation lands potentially impacted, but not discussed in the DPEIR/EIS include Los Banos Wildlife Area, Cottonwood Creek Wildlife Area, Volta Wildlife Area, Mud Slough Conservation Easement, the Romero Ranch and Simon Newman Ranch Nature Conservancy Conservation Easements, San Bruno Mountain Ecological Reserve, and Le Grande conservation area (see Attachment 1).

**Sacramento to Bakersfield****Wildlife movement**

Many wildlife populations and habitats would be fragmented and isolated by the various alignments between Sacramento and Bakersfield. Perimeter fencing around the at-grade alignment areas would mean that the majority of the Central Valley would be fenced and would therefore interfere with or eliminate wildlife movement corridors. The only wildlife species discussed in the DPEIR/EIS was the San Joaquin kit fox. Other wildlife species which could be impacted by further habitat fragmentation and loss of movement corridors as a result of the HST alternatives in this region include, but are not limited to, riparian brush rabbit, various meso-carnivores, Tipton kangaroo rat, Swainson's hawk, and blunt-nosed leopard lizard.

**Conservation Lands**

Conservation lands potentially impacted by the HST in this region include, but may not be limited to Allensworth Ecological Reserve, the Cosumnes River Ecological Reserve, San Joaquin River Ecological Reserve, and mitigation lands such as the Laguna Creek Conservation Easement.

**Conservation Plans**

Numerous conservation planning efforts would be affected by the HST project. One approved HCP and associated habitat reserves affected by the project is the San Joaquin County HCP. Other conservation plans in various stages of planning and implementation include the Kern Valley Floor and South Sacramento

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HCPs. The impacts to these conservation planning efforts should be discussed in the DPEIR/EIS and subsequent alignment-specific analyses.

### Bakersfield to Los Angeles

#### Wildlife Movement

This corridor alignment would impact many movement corridors for meso- and large carnivores, large mammals, fish, amphibians, and birds. Special status species that could be impacted by this rail segment include: Tehachapi slender salamander, blunt-nosed leopard lizard, and desert tortoise. The DPEIR/EIS concludes the SR-58/Soledad Canyon HST alignment would likely have a greater impact on wildlife movement than the I-5 grapevine. The DPEIR/EIS does not include enough information to substantiate this conclusion.

#### Conservation Plans

The DPEIR/EIS briefly discussed the approved Kern County – Metro Bakersfield HCP and the proposed Kern Valley Floor HCP. The DPEIR/EIS should discuss how the project may impact these conservation plans and their efforts to conserve habitats.

### Los Angeles to San Diego via the Inland Empire

#### Conservation Plans and Wildlife Movement

Approved conservation plans not addressed in the DPEIR/EIS include the Western Riverside MSHCP, San Diego Multiple Species Conservation Program (MSCP), City of San Diego MSCP Subarea Plan, County of San Diego MSCP Subarea Plan, and San Diego Gas & Electric (SDG&E) Company Subregional Plan. Conservation plans in progress in this region include the North County MSCP Subarea Plan and the City of Escondido MHCP Subarea Plan. Information on these plans is updated regularly at <http://www.dfg.ca.gov/nccp/status.htm>. The DPEIR/EIS should discuss how the project may impact these approved and proposed conservation plans and their efforts to conserve habitats. The proposed HST alignment in urban locations such as the I-15 corridor would fragment the remaining small habitat areas, often constituting the only habitat left for some wildlife species, and acting as "stepping stones" for resident and migratory wildlife movement. Specifically, the I-15 HST alignment would impact the limited habitat that remains and allows for movement of Coastal California gnatcatchers. Impacts to these plans, reserves and remaining habitat for special status species is a potentially significant impact that should be addressed in the DPEIR/EIS and subsequent analyses.

### Los Angeles to San Diego via Orange County

#### Conservation Plans

An approved conservation plan not discussed in the DPEIR/EIS is the Orange County Central-Coastal NCCP Subregional Plan. Local land use plans for the protection of the coastal zone should be analyzed for this area also. Other conservation plans approved in this region include the San Diego Multiple Species Conservation Program (MSCP), County of San Diego MSCP Subarea Plan, and the City of San Diego MSCP Subarea Plan. Other conservation plans in development include the Orange County Northern Subregion and Orange County Southern Subregion, City of Oceanside MHCP Subarea Plan, City of Encinitas MHCP

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Subarea Plan, and City of Carlsbad MHCP Subarea Plan. Information on these plans is updated regularly at <http://www.dfg.ca.gov/nccp/status.htm>. The DPEIR/EIS should discuss how the project may impact these conservation plans and their efforts to conserve habitats.

#### Wetlands

More detailed studies than what is proposed should also be used when analyzing impacts to watersheds, estuaries and lagoons. Information for the DPEIR/EIS and subsequent analyses of impacts in this region may be obtained from the Calleguas Creek Watershed Management group, Friends of the Santa Clara River, Ormond Beach Task Force; landowners with large holdings of lagoon/estuarine properties (e.g. CA Dept of Parks and Recreation, DFG, San Diego Gas and Electric, Southern California Edison); Dr. Chang and others at San Diego State University; the Port of Los Angeles, conservation groups such as the Audubon Society; and local lagoon foundations and citizen groups.

### 3.15.5 Mitigation Strategies

#### Strategies vs. Mitigation Measures

The Department recognizes a Program DPEIR/EIS should identify and generally discuss the environmental effects the project will have. In addition to general discussion, a Program DPEIR/EIS may discuss policy alternatives, cumulative impacts, and feasible mitigation measures. The California High-Speed Train Program DPEIR/EIS offers some "potential strategies to mitigate impacts on special-status species and sensitive habitat areas" for future project level analysis in Section 3.15.5 that are not feasible mitigation measures. There is no distinction made between proposed mitigation strategies and mitigation measures. All of the "potential mitigation strategies" discussed in the DPEIR/EIS could more appropriately be categorized into "policies to implement appropriate mitigation" and "potential feasible mitigation measures". The "policies to implement appropriate mitigation" may include those "strategies" discussed in the first paragraph of Section 3.15.5 of the DPEIR/EIS such as 1) field verification, 2) filling data gaps, 3) subsequent project specific analysis, 4) consultation with the appropriate resource agencies to refine avoidance and mitigation measures, and 5) developing a mitigation and monitoring program to determine impacts and mitigation effectiveness. The Program DPEIR/EIS "may recommend further measures to consider in more detail at the project level to avoid, minimize, and mitigate potential adverse impacts" (Summary, page S-1). The measures may include at a minimum those discussed in the DPEIR/EIS such as: 1) develop/participate in conservation banks, 2) avoid impacts by: design change, relocating segments, constructing above ground, constructing structures for wildlife movement, and adjusting the alignment plan; and 3) "special mitigation needs" including acquisition, preservation, restoration, banks, HCPs, and NCCPs.

### 3.15.6 Subsequent Analysis

#### Surveys and Mapping

The Subsequent Analysis Section 3.15.6 proposes that field surveys will be conducted to determine the extent and type of general and sensitive biological resources including focused surveys for special-status species. Site-specific

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surveys and on-site visits will be necessary to further analyze the impacts of the various corridor alignments, inform alignment selection, and develop site-specific mitigation measures. The Department recommends that areas of suitable habitat be considered occupied if species-specific surveys are not planned or accepted protocols and methods are not followed to examine site-specific impacts, or if there is limited information available on species presence.

The Department appreciates the opportunity to comment on the California High-Speed Train Draft Program DPEIR/EIS. The Department will continue to work closely with you and others involved with this project. If you have any questions regarding our review or if we can provide you with additional assistance on plant and wildlife aspects of your project, please contact Mr. Scott Flint, Program Manager, Habitat Conservation Planning Branch, by telephone at (916) 653-9719.

Sincerely,

  
Sandra C. Morey, Chief  
Habitat Conservation Planning Branch

Attachment

cc: Department of Fish and Game

Mr. Scott Flint  
Ms. Gail Presley  
Ms. Tina Bartlett  
Ms. Sarah Calzada  
Sacramento, California

Mr. Michael Haynie  
Ms. Dee Sudduth  
Eastern Sierra-Inland Deserts Region  
Chino Hills, California

Mr. Carl Wilcox  
Central Coast Region  
Yountville, California

Mr. Don Chadwick  
South Coast Region  
San Diego, California

Mr. Larry Eng  
Sacramento Valley-Central Sierra Region  
Rancho Cordova, California

Mr. Jeff Single  
San Joaquin Valley-Southern Sierra Region  
Fresno, California

### Attachment 1. HST Impacts to Department of Fish and Game Lands

Department of Fish and Game Region	Property Name
<b>Sacramento to Bakersfield Region</b>	
2	CENTRAL VALLEY SCREEN SHOP
2	COSUMNES RIVER ECOLOGICAL RESERVE
2	LAGUNA CREEK CONSERVATION EASEMENT
4	ALLENSWORTH ECOLOGICAL RESERVE
4	LE GRAND
4	RESERVE GUN CLUB CONSERVATION EASEMENT
<b>Bay Area to Merced Region</b>	
3	BAIR ISLAND ECOLOGICAL RESERVE
3	BRISBANE FISHING PIER
3	FRANKLIN D. ROOSEVELT PIER
3	PIER SEVEN
3	REDWOOD SHORES ECOLOGICAL RESERVE
3	SAN ANTONIO FISHING PIER
3	SAN BRUNO MOUNTAIN ECOLOGICAL RESERVE
3	SAN FRANCISCO BAY
3	SAN LUIS RESERVOIR WILDLIFE AREA
4	COTTONWOOD CREEK WILDLIFE AREA
4	LOS BANOS WILDLIFE AREA
4	MUD SLOUGH CONSERVATION EASEMENT
4	O'NEILL FOREBAY WILDLIFE AREA
4	ORESTIMBA FISHING ACCESS
4	SAN LUIS RESERVOIR WILDLIFE AREA
4	VOLTA WILDLIFE AREA
4	WEST HILMAR WILDLIFE AREA
<b>Los Angeles to San Diego via Orange County</b>	
5	AGUA HEDIONDA LAGOON ECOLOGICAL RESERVE
5	BATIKUITOS LAGOON ECOLOGICAL RESERVE
5	BUENA VISTA LAGOON ECOLOGICAL RESERVE
5	CASTAIC CONSERVATION EASEMENT
5	DWR MITIGATION-L.A. PROPERTY
5	EMBARCADERO PARK FISHING PIER
5	OCEANSIDE FISHING PIER
5	SAN CLEMENTE FISHING PIER
5	SAN DIEGUITO LAGOON ECOLOGICAL RESERVE
5	SAN ELIJO LAGOON ECOLOGICAL RESERVE
<b>Los Angeles to San Diego via the Inland Empire</b>	
6	SANTA MARGARITA RIVER
6	SYCAMORE CANYON ECOLOGICAL RESERVE

**Response to Comments of Sandra C. Morey, Chief of Habitat Conservation Planning Branch, California Department of Fish and Game, August 2004 (Letter AS012)****AS012-1**

Responses have been provided to the Department's comments and additional information has been included in the Final Program EIR/EIS, where appropriate. Recirculation is not required.

**AS012-2**

In the Final Program EIR/EIS, each environmental section of Chapter 3 has been modified to include specific design methods and features that will be applied during the project level studies and implementation of the HST system to avoid, minimize, and mitigate potential impacts. Specific design criteria regarding power supply and perimeter fencing are documented in Section 3.2 of Engineering Criteria, January 2004. See excerpts from the Engineering Criteria Report (incorporated by reference) regarding power supply facilities below:

*"An electrical propulsion system is necessary to provide the performance characteristics (e.g. speed and acceleration) required to be competitive with other modes of travel in California. The power supply would consist of a 2x25KV overhead catenary system for all electrified portions of the statewide system. Supply stations would be required at approximately 30 mile intervals. Based on the estimated power needs of this system, these stations would need to be approximately 20,000 square feet (200' X 100'). Switching stations would be required at approximately 15 mile intervals. These stations would need to be approximately 7,500 square feet (150' X 50'). Paralleling (booster) stations would be required at approximately 7½ mile interval. These stations would need to be approximately 5,000 square feet (100' X 50'). Each station includes a control house that would need approximately 800 square feet (40' X 20'). These facilities would not be sited as part of this Program EIR/EIS. However, a generic analysis of these facilities would be included. The facilities defined fall well within the potential impact*

*areas defined for the environmental analysis methods for the program level study. All facility sizing and spacing to be verified by simulation based on planned headways, speed and specific equipment specifications at the project specific level of analysis."*

Please also see Section 2.6.2b "Electrification" of the Final Program EIR/EIS.

**AS012-3**

The Modal and HST Alternatives were each developed to independently accommodate the anticipated future intercity travel demand. While the implementation of one system alternative does not necessarily preclude the implementation of the other, it is highly unlikely that both alternatives would be needed (over twice the projected need) or pursued during the same time period because of the high levels of environmental impact and capital cost to complete both of these alternatives. It is likely, however, that highway and airport facilities/systems would continue to be improved much as projected in the No Project Alternative, even with the implementation of the HST Alternative. Please also see response to Comment AS012-6.

**AS012-4**

Acknowledged.

**AS012-5**

Acknowledged. Site specific analysis will be completed in subsequent project level environmental review.

**AS012-6**

In the Final Program EIR/EIS, each environmental section of Chapter 3 has been modified to include mitigation strategies that would be applied in general for the HST system. Each section of Chapter 3 also outlines specific design methods and features that will be

applied during project level studies and the implementation of the HST system to avoid, minimize, and mitigate potential impacts. Specific potential impacts related to the topics suggested in the comment will be addressed in the subsequent project level analysis.

**AS012-7**

Please see standard response 3.15.9 regarding wildlife corridors and habitat fragmentation. Information from the report entitled "Missing Linkages" has been referred to in the Final PEIR/S – please see response to Comment O034 – 19. As noted, the Missing Linkages report provides information that is suitable for general planning purposes only. The program level environmental review that has been conducted is exactly that – a general planning level environmental review. The information generated to date will provide guidance for subsequent project-level, Tier 2 analyses and development of more detailed mitigation strategies. Because the Authority intends to provide mitigation to maintain wildlife corridors, it would be premature to make a determination that any wildlife corridors will be lost. However the PEIR/S does acknowledge that the HST project has the potential to result in habitat fragmentation and population isolation.

**AS012-8**

Please see standard response 3.15.9 regarding mitigation to wildlife corridor movements and habitat fragmentation. Additional discussion regarding maintenance of wildlife corridors has been added to the mitigation strategies section. The Co-lead agencies appreciate the guidance provided by the Department of Fish and Game and its recommendations regarding methods for determining appropriate locations for wildlife movement structures. This work will be conducted during project-level, Tier 2 environmental review.

**AS012-9**

Please see standard response 3.15.9 and response to Comment AS012 – 08. It is agreed that, when project-level Tier 2 environmental review is done, the environmental document should

identify wildlife movement corridors, habitat linkages, and amount and type of wildlife habitat fragmented. Reductions of habitat value due to fragmentation would be evaluated, and mitigation would be incorporated to minimize fragmentation.

**AS012-10**

Please see standard response 3.15.9 and response to Comment AS012 – 08. Estimated costs for mitigation of HST program impacts have been included in the HST capital cost estimates.

**AS012-11**

Please see standard response 3.15.10. Should the HST proposal move forward, future mitigation efforts should complement and be coordinated with habitat conservation or protection plans for areas potentially affected by the proposed HST system.

**AS012-12**

The Co-lead agencies agree with the comment that, in addition to the possible direct fill of wetlands, there is a potential for impacts associated with alteration of hydrologic function. Although detailed evaluation of construction and maintenance impacts is not possible without further site-specific definition of the project alignment and construction methods, the Draft PEIR/S used an estimate of an 0.25-mi [0.40-km] area that "was used to encompass natural undisturbed resources that could be subject to indirect impacts from noise, erosion, storm water runoff, or other effects of construction or operation of the alternatives." Additional analysis will be performed at a project level, and the following text has been added to the section on Subsequent Analysis in Section 3.15.7 of the Final PEIR/S: "Evaluation of both direct and indirect impacts on wetland, riparian areas and other waters. Effects of project construction and operations on hydrologic connections will be evaluated. Potential for sedimentation and pollution will be addressed. Impacts on wildlife of habitat loss, degradation and fragmentation will be assessed".

**AS012-13**

See standard response 3.4.1 and response to Comment AS004-14.

**AS012-14**

CO<sub>2</sub> emissions were included in the air quality analysis for the Program EIR/EIS at the statewide level (see Section 3.3.3, Table 3.3-13). The analysis showed less production of CO<sub>2</sub> gases for the HST Alternative as compared to the Modal and No Project Alternatives. The Program EIR/EIS clearly states that the HST Alternative result in less energy consumption as compared to the Modal and No Project Alternatives (Section S.6, Table S.6-1, Page S-11 and Section 3.5.4, Table 3.5-4). The lower levels of CO<sub>2</sub> emissions and energy consumption are considered beneficial in the Program EIR/EIS. More specific potential direct, indirect, and cumulative energy supply infrastructure and consumption impacts will be considered in the subsequent project level analysis, as more specificity is provided for the design, operation, and power supply of the proposed HST system.

**AS012-15**

Overall, it can be expected that the HST Alternative would introduce additional EMF exposures or EMI at levels for which there are no established adverse impacts on humans or wildlife. EMF emissions from HST vehicle passby's are very low, and impacts are therefore not expected to be significant. EMF/EMI characteristics will be analyzed in the subsequent project level environmental review, as summarized in the Draft Program EIR/EIS in Section 3.6.4 and 3.6.5.

**AS012-16**

The potential for indirect impacts on biological resources related to incremental population and employment growth, and associated changes in urbanization as a result of the Modal and HST Alternatives are addressed in Section 5.4.14 of the Final Program EIR/EIS.

**AS012-17**

The Co-lead agencies understand the importance of the Wildlife Areas, Ecological Reserves, Conservation Easements, and other conservation lands. To the extent possible early in the process, HST alignments were located to avoid such sensitive areas. At times, however, such areas are traversed by or are near candidate HST alignments. It is not possible to determine whether the HST alignments would have substantial effects on attendance at these areas at the program level of analysis. The Co-lead agencies understand the requirements of Section 4(f) of the Department of Transportation of 1966, as amended, which is discussed in Section 3.16 of the PEIR/S. Please note that the Authority has dropped from further consideration the HST alignments passing through and under Henry Coe State Park and the Orestimaba State Wilderness. As the additional analyses of the Northern Mountain Corridor (Bay Area to Central Valley) and the more detailed project-level, Tier 2 studies and alignment refinements are undertaken, the Co-lead agencies will continue to review ways to avoid critical environmental areas and develop plans to minimize harm should these areas have alignments passing near or through them. The Co-lead agencies note that alignments can and will be shifted within or near the analysis envelope discussed in the PEIR/S to further minimize or avoid impacts (please see standard response 3.15.7), and mitigation measures to minimize harm will be employed. Please also see response to Comment AS012-11.

**AS012-18**

The United States Department of Agriculture Farm Service Agency administers the Conservation Reserve Program, and the Natural Resources Conservation Service administers the Wildlife Habitat Incentives Program and Wetlands Reserve Program. All three programs provide technical and financial assistance to landowners to preserve wildlife habitat, including wetlands. The project would not be expected to have any direct impacts to the programs themselves, and it is not possible during this program environmental process to identify specific properties that are currently in a conservation program or to evaluate the potential effects of the proposed HST

system on those properties. Project-level, Tier 2 analyses would include a more detailed evaluation of impacts on farmland, including identification of properties that are under Williamson Act contracts, conservation easements, or are included in one of the above programs.

**AS012-19**

Effects on wildlife movement corridors were considered in the Draft PEIR/S, and additional analysis will be conducted at a project level. As noted on page 3.15.31 of the Draft PEIR/S, the Program document has identified major wildlife movement/migration corridors within the study area, but further study needs to be done on movement/migration corridors: "Field studies could identify additional locally significant corridors and provide data to assist in the design of bridges and wildlife crossings at crucial travel route points." Measures to mitigate effects of the HST Project on animal movements and corridors have been added to the Final PEIR/S and are provided in Section 3.15.6. A discussion of the systemwide potential impacts to identified wildlife movement corridors for the Modal and HST Alternatives (including illustrative figures) has been added to the Final PEIR/EIS and is included in Section 3.15.

**AS012-20**

See Standard Response 6.3.1.

**AS012-21**

Please see standard response 3.15.3 and standard response 3.15.4. The Draft PEIR/S acknowledges that special-status species could be affected by the HST project. Information on special status species and sensitive habitats is available in the Technical Evaluations for Biological Resources, which were conducted for each region. These studies are available for review on the California High Speed Rail Authority website

([http://www.cahighspeedrail.ca.gov/eir/regional\\_studies/default.asp](http://www.cahighspeedrail.ca.gov/eir/regional_studies/default.asp))

For example, the Bay Area to Merced Biological Resources Evaluation contains a table listing all of the special status species present along the project alignments and the acreage of habitat present along each alternative. Please refer to standard response 3.15.2 regarding the level of detail included in the PEIR/S. Please refer to standard response 3.15.10 regarding evaluation of effects on HCPs.

**AS012-22**

Please see standard response 3.15.11.

**AS012-23**

Please refer to standard response 3.15.10 regarding evaluation of effects on HCPs and response to Comment AS012-11. Detailed studies of impacts on watersheds, estuaries and lagoons will be conducted as a part of the project-level, Tier 2 environmental documentation.

**AS012-24**

Please refer to standard response 3.15.10 regarding evaluation of effects on HCPs and response to Comment AS012-11. Detailed studies of impacts on watersheds, estuaries and lagoons will be conducted as a part of the project-level, Tier 2 environmental documentation. Please refer to Response to Comment AS012-12 regarding additional studies to be conducted on water bodies. The PEIR/S also specifically requires additional study in the form of "hydraulic analysis of lagoon crossings to identify potentially feasible improvements that may help improve tidal hydraulics and remove barriers to floodwaters" (see Draft PEIR/S page 3.15-31).

**AS012-25**

The Co-lead agencies generally agree with the recommendations in this comment, and Section 3.15.5 of the Final PEIR/S has been revised. The term "strategies" has been retained, but the strategies have been separated from possible mitigation measures for consideration in the more-detailed, project-specific, Tier 2 evaluations.

**AS012-26**

Acknowledged.

## Comment Letter AS013



Arnold  
Schwarzenegger  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Jan Boel  
Acting Director

September 1, 2004

Dan Leavitt  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95203

Subject: Draft Program EIR/EIS for the Proposed California High-Speed Train System  
SCH#: 2001042045

Dear Dan Leavitt:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 31, 2004, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

*Terry Roberts*  
Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

AS013

### Document Details Report State Clearinghouse Data Base

<b>SCH#</b>	2001042045		
<b>Project Title</b>	Draft Program EIR/EIS for the Proposed California High-Speed Train System		
<b>Lead Agency</b>	California High Speed Rail Authority		
<b>Type</b>	EIR Draft EIR		
<b>Description</b>	A new statewide high-speed train system approximately 700 miles long that would serve the major metropolitan areas of California including San Diego, Los Angeles, the Central Valley cities (Fresno, Bakersfield, Merced), Sacramento, and San Francisco Bay.		
<b>Lead Agency Contact</b>			
<b>Name</b>	Dan Leavitt	<b>Fax</b>	
<b>Agency</b>	California High Speed Rail Authority		
<b>Phone</b>	916-322-1419		
<b>email</b>			
<b>Address</b>	925 L Street, Suite 1425	<b>State</b>	CA
<b>City</b>	Sacramento	<b>Zip</b>	95203
<b>Project Location</b>			
<b>County</b>	San Diego, Los Angeles, City of, Sacramento		
<b>Region</b>			
<b>Cross Streets</b>			
<b>Parcel No.</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>
<b>Township</b>			
<b>Proximity to:</b>			
<b>Highways</b>	Several		
<b>Airports</b>	Several		
<b>Railways</b>	Several		
<b>Waterways</b>	Several		
<b>Schools</b>	Several		
<b>Land Use</b>	Various		
<b>Project Issues</b>	Agricultural Land; Archaeologic-Historic; Geologic/Seismic; Minerals; Public Services; Social; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Drainage/Absorption		
<b>Reviewing Agencies</b>	Caltrans, Division of Aeronautics; Air Resources Board, Transportation Projects; Caltrans, District 3; Caltrans, District 6; Caltrans, District 7; Caltrans, District 10; Caltrans, District 11; Caltrans, District 12; California Highway Patrol; California Coastal Commission; Department of Conservation; Department of Water Resources; Department of Fish and Game, Region 2; Department of Fish and Game, Region 4; Department of Fish and Game, Region 5; Department of Fish and Game, Headquarters; Office of Historic Preservation; Department of Parks and Recreation; Resources Agency; State Water Resources Control Board, Division of Water Rights; Tahoe Regional Planning Agency; Caltrans, Division of Transportation Planning; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; Regional Water Quality Control Board, Region 4; Regional Water Quality Control Bd., Region 5 (Fresno); Regional Water Quality Control Bd., Region 5 (Redding); Regional Water Quality Control Bd., Region 5 (Sacramento); Regional Water Quality Control Board, Region 8; Regional Water Quality Control Board, Region 9; State Lands Commission; State Water Resources Control Board, Division of Water Quality; Other Agency(ies)		
<b>Date Received</b>	02/05/2004	<b>Start of Review</b>	02/13/2004
		<b>End of Review</b>	08/31/2004

Note: Blanks in data fields result from insufficient information provided by lead agency.

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**Response to Comments of Terry Roberts, Director, State of California Governor's Office of Planning and Research,  
September 7, 2004 (Letter AS013)**

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**AS013**

Acknowledged.

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**Comment Letter AS014**

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**AS014**

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF WATER RESOURCES**  
DIVISION OF ENVIRONMENTAL SERVICES  
3251 S STREET  
SACRAMENTO, CA 95816-7017



August 30, 2004

Mr. Mehdi Morshed, Executive Director  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, California 95814

Dear Mr. Morshed:

The Department of Water Resources (DWR) has reviewed the Draft Program Environmental Impact Statement (EIR/EIS) for the proposed California High Speed Train System and has an interest in providing comments. DWR's comments are general rather than specific.

Our comments are the following:

1. DWR reviewed the California High Speed Train Authority programmatic EIR/EIS three proposed project alignments and found that all three have places of overlap with DWR structures or land right of ways.
2. DWR would need to be a responsible agency for California High Speed Train Authority project specific EIR/EIS that encroach on DWR land of right of way or interfere with DWR structures. DWR would need to issue encroachment permits before the California High Speed Train Project undertook any work on DWR right of ways or interfered with any DWR structures.

AS014-1

If you have any questions or need further information, please contact me at (916) 445-6127.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale K. Hoffman-Floerke".

Dale K. Hoffman-Floerke, Chief  
Environmental Compliance and  
Evaluation Branch  
Division of Environmental Services

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**Response to Comments of Dale K. Hoffman-Floerke, Chief of Environmental Compliance and Evaluation Branch,  
California Department of Water Resources, No Date Received (Letter AS014)**

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**AS014-1**

Acknowledged.